

E-Filed/**JS-6**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**CIVIL MINUTES - GENERAL**

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|----------|---|------|---------------|
| Case No. | CV 12-5034-GHK (RZx) | Date | July 23, 2012 |
| Title | <i>Deutsche Bank National Trust Co. v. Othoniel M. Ceballos</i> | | |

Presiding: The Honorable**GEORGE H. KING, U. S. DISTRICT JUDGE**

Beatrice Herrera

N/A

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendant:

None

None

Proceedings: (In Chambers) Order Remanding Case

On June 25, 2012, we ordered Defendant Othoniel M. Ceballos ("Defendant") to show cause ("OSC") why the above-captioned action should not be remanded to state court for lack of subject matter jurisdiction. We stated that we appear to lack subject matter jurisdiction based on diversity because the amount in controversy is alleged not to exceed \$10,000. We also stated that Defendant made a general allegation of bias by the state court in the Notice of Removal ("NOR"), but that this was insufficient to confer subject matter jurisdiction upon this Court. We cautioned Defendant that the failure to timely and adequately respond to our OSC would be deemed his admission that we lack subject matter jurisdiction. The docket reflects that no such response has been filed. Pursuant to our OSC, Defendant is **DEEMED** to have admitted that we lack subject matter jurisdiction over this case. Accordingly, this case is hereby **REMANDED** to the state court from which it was removed. In light of the foregoing, Plaintiff Deutsche Bank National Trust Company's Motion to Remand Case to State Court is **DENIED as moot**.

IT IS SO ORDERED.

Initials of Deputy Clerk

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